

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: 07-30136 DRH
)	
LUIS SANORA,)	
)	
Defendant.)	

ORDER

HERNDON, Chief Judge:

Before the Court is Defendant Luis Sanora's Motion for Extension of Time (Doc. 521). Specifically, Defendant asks for additional time in which to request additional discovery materials and for filing motions. Discovery in this case is voluminous and Defendant states that he needs additional time to properly review those materials and determine whether additional discovery will be requested or whether Defendant will file pretrial motions. Based on the reasons set forth in the motion, the Court **GRANTS** Sanora's motion for extension of time (Doc. 521). Defendant Sanora will have up to and including **August 25, 2010** in which to request additional discovery materials from the Government. Further, Defendant will have up to and including **August 30, 2010** in which to file pretrial motions.

In extending the pretrial and discovery deadlines, the Court notes that the twenty-one days initially given to Defendant to complete discovery and file pretrial motions, as well as the additional time now given to Defendant, is excludable under 18 U.S.C. § 3161(h)(7)(A). According to a recent Supreme Court decision, *Bloate v. United States*, 130 S.Ct. 1345 (2010), delays resulting from pre-trial motion preparation is not automatically excludable under 18 U.S.C. § 3161(h)(1). See *Bloate*, 130 S.Ct. at 1352. In light of the recent decision, the Court

finds that the time granted to Defendant for preparation of pretrial motions and discovery is excludable under 18 U.S.C. § 3161(h)(7)(A) as the ends of justice served by the granting of such a continuance outweigh the best interests of the public and Defendant to trial without adequate time to prepare would constitute a miscarriage of justice. Therefore, the Court notes that the time from the arraignment, July 21, 2010, until the date on which the time to file pre-trial motions ends, August 30, 2010, is excludable time for the purpose of speedy trial.

IT IS SO ORDERED.

DATED this 19th day of August, 2010.

/s/ David R. Herndon

David R. Herndon
Chief Judge